

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

ANTHONY DOMINIC REO)	CASE NO.
)	
Plaintiff,)	JUDGE
)	
vs.)	
)	
LIFE SHIELD NATIONAL INSURANCE,)	
ET AL)	
)	<u>NOTICE OF REMOVAL</u>
)	
Defendants.)	

TO: The Honorable Judges of the United States District Court, Northern District of Ohio.

1. Defendant “Chubb Federal Insurance Co.”¹ is hereby removing this case from the Court of Common Pleas, Lake County, Ohio to the United States District Court, Northern District of Ohio. Removal is based on 28 U.S.C. §§1331, 1441 and 1446.

2. “Chubb Federal Insurance Co.” was sued by Plaintiff Anthony Dominic Reo (“Plaintiff”) in a Complaint filed in the Lake County Court of Common Pleas on November 26, 2018, which case was assigned Case No. 18CV001973.

3. “Chubb Federal Insurance Co.” received the Complaint filed in state court on November 27, 2018. (A copy of the Summons and Complaint are attached hereto as Exhibit A.)

¹ There is no entity called “Chubb Federal Insurance Co.” Plaintiff may have intended to refer to Federal Insurance Company, which does exist, is incorporated in Indiana, and has its principal place of business in New Jersey. If that was indeed Plaintiff’s intention, then Plaintiff must amend his pleading and Federal reserves all rights and defenses.

4. The Complaint sets forth a purported cause of action pertaining to an alleged telephone call made to Plaintiff's residential telephone line using an automated telephone dialing system, which cause of action has been asserted under the Telephone Consumer Protection Act ("TCPA"), 47 U.S.C. §227, *et seq.*

5. The federal court has original subject matter jurisdiction pursuant to 28 U.S.C. §1331 over actions brought under the TCPA. *See Sandusky Wellness Ctr., LLC v. Medco Health Sols., Inc.*, No. 3:14CV00583, 2014 WL 6775501, at *1 (N.D. Ohio Dec. 2, 2014), *aff'd*, 788 F.3d 218 (6th Cir. 2015).

6. "Chubb Federal Insurance Co." has timely removed this action within 30 days after it received a copy of the initial pleading setting forth the claim for relief upon which the action is based, and within one year of the commencement of the action.

7. "Chubb Federal Insurance Co." has attached hereto all known pleadings filed in the action pending in state court.

8. "Chubb Federal Insurance Co." will provide timely notice to the state court of the removal of the action.

9. "Chubb Federal Insurance Co." reserves, without admission, waiver or relinquishment, all of its defenses to the Complaint.

WHEREFORE, pursuant to 28 U.S.C. §§1331, 1441 and 1446, “Chubb Federal Insurance Co.” hereby removes this action from the Lake County Court of Common Pleas to the United States District Court for the Northern District of Ohio.

Respectfully submitted,

s/ Jennifer M. Monty

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Attorneys for Defendant

“Chubb Federal Insurance Co.”

CERTIFICATE OF SERVICE

A copy of the foregoing Notice of Removal was filed electronically and was served by regular mail, postage prepaid, on December 21, 2018 on the following:

Bryan Anthony Reo
P.O. Box 5100
Mentor, OH 44060

Attorney for Plaintiff

s/ Jennifer M. Monty

One of the Attorneys for Defendant
“Chubb Federal Insurance Co.”